



**The Comptroller General  
of the United States**

Washington, D.C. 20548

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# Decision

**Matter of:**               Jedco  
**File:**                    B-223579  
**Date:**                   August 26, 1986

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## DIGEST

Agency properly rejects protestor's bid as nonresponsive when the bid did not contain a required bid guarantee. Although the guarantee requirement did not appear in the "Bid Requirements" section of the solicitation where such provisions are usually placed, it was contained in another section, and offerors are expected to read the entire solicitation.

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## DECISION

Jedco, General Engineering Contractors, protests the rejection of its bids for construction services under invitation for bids (IFB) No. R5-11-86-16, issued by the Forest Service, U.S. Department of Agriculture. The bid was rejected as nonresponsive for Jedco's failure to include a required bid guarantee. We dismiss the protest.

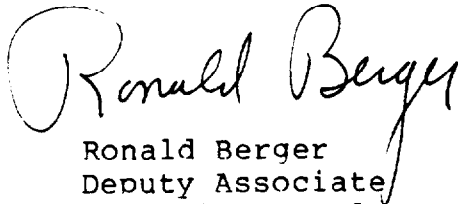
Jedco states that it submitted the low bid, but did not include a bid guarantee because it did not find a requirement for one in the solicitation.

The protester reports that bid guarantee and payment and performance bond provisions are usually found in the "Bid Requirements" section of Forest Service solicitations. Finding no bid guarantee requirement in that section of the IFB, Jedco assumed that none was required because all major items needed to perform the contract were to be furnished by the government. Subsequently, the firm learned that a bid guarantee requirement was contained in the "Project Description" section of the IFB.

In our view, Jedco's bid was properly rejected. When a bid guarantee is required by a solicitation, a bid which does not include one is nonresponsive. Taylor Associates, B-216110, Jan. 3, 1985, 85-1 CPD ¶ 625. A failure to include a bid guarantee can only be waived under the limited circumstances described in the Federal Acquisition Regulation, 48 C.F.R. § 28.101-4 (1985), none of which is applicable here.

We are not persuaded by Jedco's argument that the failure to include a bid guarantee should be excused because the requirement was not placed in the usual location in the solicitation. Offerors are expected to read the entire solicitation and to do so in a reasonable manner. Cf. Environmental Aseptic Services Administration, B-221316, Mar. 18, 1986, 86-1 CPD ¶ 268. Since the solicitation did require a bid guarantee, Jedco's failure to submit one cannot be waived merely because the firm did not read the solicitation closely.

The protest is dismissed.

  
Ronald Berger  
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General Counsel